

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

JOHN HEBB,	:	No.:
Plaintiff,	:	
v.	:	
BEAVER COUNTY, BEAVER	:	
COUNTY JAIL, WARDEN OF	:	
BEAVER COUNTY JAIL, BEAVER	:	
COUNTY BOARD OF PRISON	:	
INSPECTORS, ECONOMY	:	
BOROUGH POLICE DEPARTMENT,	:	
BEAVER COUNTY SHERIFF'S	:	
OFFICE, BEAVER COUNTY CLERK	:	
OF COURTS,	:	
Defendants.	:	

NOTICE OF REMOVAL

Defendant Economy Borough Police Department (the “Police Department”), by and through its attorneys, Siana Law, LLP, pursuant to 28 U.S.C. § 1441, *et seq.*, submit this Notice of Removal of this case from the Court of Common Pleas of Beaver County, Pennsylvania, No. 10988-2024, in which it is now pending, to the United States District Court for the Western District of Pennsylvania, and in support thereof, state the following:

1. On January 13, 2025, Plaintiff John Hebb filed a Complaint against the Police Department in the Court of Common Pleas of Beaver County. A true and correct copy of Plaintiff’s Complaint is attached hereto and marked as Exhibit “A.” The Complaint also names Beaver County, Beaver County Jail, Warden of Beaver County Jail, Beaver County Board of Prison Inspectors, Beaver County Sheriff’s Office, and Beaver County Clerk of Courts as Defendants.

2. The Police Department and Co-Defendants were served the Complaint on January 13, 2025. A true and correct copy of the Beaver County Court of Common Pleas Docket at 10988-2024, together with copies of all process, pleadings, orders served upon Defendants, is attached hereto and marked as Exhibit "B."

3. In the Complaint, Plaintiff alleges, among other claims, civil rights violations pursuant to 42 U.S.C. §1983 against the Police Department. Specifically, Plaintiff alleges violations of his Eighth Amendment rights for the failure to provide adequate medical care. Also asserted is a claim for disability discrimination pursuant to 42 U.S.C. §12131 *et seq.*

4. Plaintiff's federal claims are removable from the Beaver County Court of Common Pleas to the United States District Court for the Western District of Pennsylvania, which is vested with jurisdiction by 28 U.S.C. §1331 (federal question).

5. Plaintiff's state law claims are removable to this Court because this Honorable Court has supplemental jurisdiction pursuant to 28 U.S.C. § 1367.

6. Co-Defendant Beaver County, through its counsel, Nathan A. Morgan, Esquire, consents to the Police Department's instant Notice of Removal. 28 U.S.C. §1446(b)(2)(a). A copy of counsel's written consent is attached hereto and marked Exhibit "C."

7. The Police Department hereby exercises its right under the provisions of 28 U.S.C. § 1441, *et seq.*, to remove this action to the United States District Court for the Western District of Pennsylvania.

8. In accordance with the requirements of 28 U.S.C. § 1446(b), this Notice of Removal is filed within thirty (30) days from January 13, 2025, the date on which the Police Department was served with the Complaint.

9. Counsel for the Police Department will provide immediate notice of this filing to the attorney for the Plaintiff as required by 28 U.S.C. § 1446(d).

10. Following the filing of the instant Notice of Removal, counsel for the Police Department will file a copy of this Notice with the Prothonotary of the Court of Common Pleas of Beaver County as required by 28 U.S.C. § 1446(d).

WHEREFORE, the Economy Borough Police Department respectfully requests that this Honorable Court assume jurisdiction of this action presently pending in the Court of Common Pleas of Beaver County.

Respectfully Submitted:

SIANA LAW

By: /s/ Sheryl L. Brown
Sheryl L. Brown, Esquire, I.D. #59313
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BOROUGH POLICE DEPARTMENT,	:	
BEAVER COUNTY SHERIFF'S	:	
OFFICE, BEAVER COUNTY CLERK	:	
OF COURTS,	:	
Defendants.	:	
	:	

CERTIFICATE OF SERVICE

The undersigned counsel for Economy Borough Police Department certifies that on today's date, a true and correct copy of the foregoing *Notice of Removal* was served upon the following via electronic mail:

Allan J. Opsitnick, Esquire
 Opsitnick & Associates
 564 Forbes Ave, Suite 1201
 Pittsburgh, PA 15219

Garen R. Fedele, Esquire
 Nathan A. Morgan, Esquire
 Beaver County Law Department
 Beaver County Courthouse
 810 Third Street
 Beaver, PA 15009

SIANA LAW

Date: January 17, 2025

By: /s/ Sheryl L. Brown
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